

Notice of Allowability

Application No.

10/606,441

Examiner

Edan Orgad

Applicant(s)

DECLERCK ET AL.

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 11/29/05.
2. ☒ The allowed claim(s) is/are 2-4, 7-9, 12-14 and 17-19 (renumbered as claims 1-12, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

Claims 2-4, 7-9, 12-14 and 17-19 (renumbered as claims 1-12, respectively) are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claims 2, 7, 12 and 17 (renumbered as claims 1, 4, 7 and 10, respectively), disclose a method, apparatus and system for mitigating power-control errors during a soft handoff of a mobile unit, the method comprising: programming a plurality of base stations with a uniform power-control bit pattern to be sent to the mobile unit during a plurality of power-control bit times, before the mobile unit is acquired on a reverse link; and timing transmissions of the uniform power-control bit pattern such that the plurality of base stations, when transmitting, send identical power-control bits during each of the plurality of power-control bit times. Specifically, wherein programming the plurality of base stations with the uniform power-control bit pattern comprises programming a pattern that requires more than a single transmission frame of a forward link from a base station to the mobile unit before the pattern repeats, and wherein timing the transmissions comprises synchronizing the transmissions from each of the plurality of base stations such that the transmissions start at substantially identical times.

The closest prior art cited, specifically Zehavi (US 6,185,199) disclose a method and associated apparatus and system, for using a wireless communication system for mitigating power-control errors during a soft handoff of a mobile unit (col. 3, lines 1-14) specifically, programming a plurality of base stations with a uniform power-control bit pattern to be sent to the mobile unit during a plurality of power-control bit times, before the mobile unit is acquired

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on a reverse link (col. 3, lines 1-14; the base stations are configured to send identical reverse link power control bit values to the remote station since the base stations are physically situated at the same location, and the power control bit commands the remote station to adjust its transmit power up or down to maintain the desired level of performance while minimizing the level of interference to other users). Zehavi further discloses the timing transmissions of the uniform power-control bit pattern such that the plurality of base stations, when transmitting, send identical power-control bits during each of the plurality of power-control bit times (col. 12, lines 49-63; see Zehavi- figure 5c, timing diagrams of the forward link data reception and reverse link data transmission by the remote station).

However, neither Zehavi or other cited prior art, alone or in combination disclose or provide the motivation to teach programming the plurality of base stations with the uniform power-control bit pattern comprises programming a pattern that requires more than a single transmission frame of a forward link from a base station to the mobile unit before the pattern repeats, and wherein timing the transmissions comprises synchronizing the transmissions from each of the plurality of base stations such that the transmissions start at substantially identical times. In other words, the prior art fails to disclose programming a plurality of base stations with a uniform power-control bit pattern to be sent to the mobile unit during a plurality of power control bit times, before the mobile unit is acquired on a reverse link, where the base stations time their respective transmissions of the uniform power control bit pattern such that the plurality of base stations, when transmitting, send identical power-control bits during each of the plurality of power control bit times. More over, timing the transmissions includes synchronizing the transmissions through a synchronization signal made available to the plurality of base stations.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2004/0203782 discloses a method and apparatus for synchronization control of forward link transmitting power during soft handoff in wireless communication systems.

US 2002/0193115 discloses a base station transmission power control system, mobile station and base station.

US 2004/0203782 discloses synchronization control method for forward link transmitting power in e.g. CDMA system, involves deciding whether adjustment of power is required, based on current transmitting power in link corresponding to best base station.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 571-272-7884. The examiner can normally be reached on 8:00AM to 5:30PM with every other Friday off..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EDAN ORGAD
PATENT EXAMINER/TELECOMM.

EO *12/6/05*